



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Katsushi SHIO et al.

Group Art Unit: 1616

Application No.: 09/446,730

Examiner: A. PRYOR

Filed: December 27, 1999

Docket No.: 105081

For: AQUEOUS SUSPENDED AGRICULTURAL CHEMICAL COMPOSITION

SUMMARY OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants' representatives conducted a personal interview in connection with the above-referenced application with Examiner Pryor on June 26, 2007. Applicants thank Examiner Pryor for the courtesies extended to Applicants' representatives in the personal interview.

In the June 26 personal interview, Applicants' representatives discussed Applicants' Request for Reconsideration filed May 18, 2007. Applicants' representatives argued that Applicants provide enabling disclosure for a large variety of surfactants in the specification. Examiner Pryor agreed to withdraw the rejection of claims 1-4 under 35 U.S.C. §112, first paragraph.

Applicants' representatives further argued that quizalofop-p-ethyl forms the beta-type crystal, recited in claim 1, whereas quizalofop-ethyl, the racemic form of quizalofop-p-ethyl does not form the beta-type crystal. Accordingly, U.S. Patent No. 5,691,276 to Ito et al. (hereinafter "Ito"), teaching quizalofop-ethyl cannot reasonably be considered to teach, or to

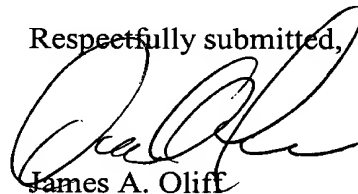
have suggested, the combination of all of the features positively recited in at least independent claim 1.

Support for the argument that the beta-type crystal is not found by the quizalofop-ethyl, is found at least in the attached Declaration Under 37 C.F.R. §1.132. Specifically, the Declaration, signed by one of the Applicants, sets forth that quizalofop-ethyl does not form the beta-type crystal.

As requested during the personal interview, Applicants hereby provide support for the arguments presented during the personal interview in the form of the attached Declaration Under 37 C.F.R. §1.132. Examiner Pryor agreed to review the May 18 Request for Reconsideration in light of the arguments presented during the June 26 personal interview and any further evidence submitted by Applicants.

Should any questions arise regarding the submission, or inquiries may be directed to Applicants' undersigned representatives at the telephone number set forth below.

Respectfully submitted,



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Daniel A. Tanner, III
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JAO:GMH/gml

Attachment:

Declaration Under 37 C.F.R. §1.132

Date: July 16, 2007

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